

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

PHU LE,

Plaintiff,

vs.

NICHOLAS W. BELLENBAUM; AVIS,
INC. dba AVIS RENT A CAR; and DOES 1-
20,

Defendants.

CASE NO. 08cv1522 WQH (BLM)

ORDER


HAYES, Judge:

Upon review and consideration of the Notice of Substitution filed herein by the UNITED STATES OF AMERICA, and it appearing to the Court that this is a tort action that includes claims against Defendant Nicholas W. Bellenbaum arising out of actions certified by the Attorney General of the United States to have been taken within the scope of his office and employment as a federal employee,

IT IS ORDERED, pursuant to 28 U.S.C. § 2679(d), that the UNITED STATES OF AMERICA shall be substituted as a Defendant herein, in place of Defendant Nicholas W. Bellenbaum, and that the title of the action be amended accordingly.

1 IT IS FURTHER ORDERED that as to Defendant Nicholas W. Bellenbaum this action is
2 dismissed pursuant to 28 U.S.C. § 2679(d)(2).

3 DATED: August 27, 2008

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5 **WILLIAM Q. HAYES**
6 United States District Judge
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